



H.R. 1528 – New England National Scenic Trail Designation Act

EXECUTIVE SUMMARY

H.R. 1528 was introduced by Representative John Olver (D-MA) and reported as amended by the Committee on Natural Resources. This legislation is expected to be considered on the floor on January 29, 2008.

H.R. 1528 incorporates the New England National Scenic Trail, made up of the Metacomet-Monadnock-Mattabesett Trail System, into the National Trail System administered by the National Park Service. This 220-mile trail extends from the border of New Hampshire and Massachusetts to Guilford, CT.

The Congressional Budget Office (CBO) estimates that enacting this legislation would cost \$2 million over a five year period, with \$300,000 of that amount for administrative and maintenance costs.

FLOOR SITUATION

H.R. 1528 will be considered under a structured rule. The Rule:

- Provides one hour of general debate equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Natural Resources.
- Waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI.
- Provides that the amendment in the nature of a substitute recommended by the Committee on Natural Resources, now printed in the bill, shall be considered as an original bill for the purpose of amendment and shall be considered as read.
- Waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure).
- No amendments shall be in order except those amendments printed in the Rules Committee report accompanying the resolution.
- Provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.
- Waives all points of order against the amendments printed in the report except for clauses 9 and 10 of rule XXI.
- Provides one motion to recommit with or without instructions.
- Provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.



This legislation was introduced by Representative John Olver (D-MA) on March 14, 2007. The House Committee on Natural Resources approved the bill as amended by voice vote on December 19, 2007.

H.R. 1528 is expected to be considered on the floor of the House of Representatives on January 29, 2008.

BACKGROUND

During the 107th Congress, the House passed the Metacomet-Monadnock-Mattabesett Trail Study Act of 2002 (P.L. 107-338) by voice vote. These trails travel through thirty-nine communities, with a combined population of more than 775,000 residents, in Massachusetts and Connecticut and are currently managed by the Appalachian Mountain Club and the Connecticut Forest and Park Association.

**Note: Committee Republicans have raised concerns that designating an area as a National Scenic Trail can lead to several private property issues, including zoning restrictions and eminent domain concerns.*

The National Park Service established two purposes for this study:

- Primary Goal – To determine the best way to ensure the long-term viability of a continuous public-use trail system from Long Island Sound through Connecticut to the Massachusetts/New Hampshire border.
- Secondary Goal – To determine whether or not designation as a National Scenic Trail makes sense as a means of achieving the primary goal of long term trail system viability.

On August 3, 2006, Metacomet-Monadnock-Mattabesett National Scenic Trail Feasibility Study and Environmental Assessment was posted for public comment by the National Park Service. The public comment period for this assessment was closed on October 16, 2006, however no final study has been approved by the Secretary of the Interior.

The National Trail System Act of 1968 created a system of trails that include historic, scenic, and recreational trails. An act of Congress is required to designate both historic and scenic trails.

Currently, the National Park Service oversees eight scenic trails consisting of approximately 15,000 miles.

SUMMARY

H.R. 1528 designates a 220-mile continuous trail beginning in the town of Royalston, MA, and extending to Guilford, CT, as the New England National Scenic Trail and incorporates this trail into the National Trail System.

This legislation requires the Secretary to enter into cooperative agreements with state and local governments, as well as the Appalachian Mountain Club, the Connecticut Forest and Park Association, and other private entities. In addition, it directs the Secretary to use the Trail Management Blueprint that is included in the draft report of the "Metacomet Monadnock Mattabesett Trail System National Scenic Trail Feasibility Study and Environmental Assessment."



**Note: The Secretary has not approved a final version of this feasibility study and environmental assessment.*

H.R. 1528 also encourages the Secretary to work with state and local governments and private organizations in New Hampshire to acquire the portion of the Metacomet-Monadnock Trail located in that state.

**Note: During the Committee mark-up of H.R. 1528, Representative Rob Bishop (R-UT) offered an amendment that would ensure all designated and future designated lands within the New England National Scenic Trail should be exclusively governed by local and state hunting, fishing, and weapons laws. This amendment was rejected by a party-line vote of 10 to 16.*

AMENDMENTS

(Below is the summary of the amendments that were made in order by the Rules Committee and may be offered on the floor of the House of Representatives)

- 1) Rep. Rob Bishop (R-UT): The amendment delays designation of the trail until all environmental analyses and the review required by Public Law 107-338 have been completed by the Secretary of the Interior.
- 2) Rep. Rob Bishop (R-UT): The amendment states that state and local laws regarding hunting, fishing, trapping and netting shall be the exclusive laws regarding these activities on the trail.

COST

According to the Congressional Budget Office (CBO), "based on information provided by the NPS and assuming the availability of appropriated funds, CBO estimates that establishing and administering the proposed scenic trail would cost about \$2 million over the 2008-2012 period. Of this amount, we estimate that the NPS would spend about \$300,000 annually for administrative and maintenance costs, including additional personnel." ([CBO Cost Estimate for H.R. 1528](#))

STAFF CONTACT

For questions or further information contact Brianne Miller at (202) 226-2302.